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14 Attorneys for Defendants
COUNTY OF KERN AND KERN COUNTY
15 BOARD OF SUPERVISORS

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA
17 COUNTY OF TULARE

18 CITY OF LOS ANGELES, et al.,

Case No.: VCU 242057

19 Plaintiffs,

Action Filed: January 26, 2011

20 v.

**DECLARATION OF CUSTODIAN OF
RECORDS FOR UNITED STATES
ENVIRONMENTAL PROTECTION
21 AGENCY, REGION 9 [CALIFORNIA
22 EVIDENCE CODE § 1561(a)]**

23 COUNTY OF KERN; KERN COUNTY
24 BOARD OF SUPERVISORS,

25 Defendants.

Department: 2
26 Judge: Hon. Lloyd L. Hicks
27
28

1 I, Lauren Fondahl, hereby declare as follows:

2 1. I am over the age of eighteen years, and I am not a party to this action. I make this
3 declaration of my own personal knowledge and, if called and sworn as a witness, would testify
4 competently thereto under oath.

5 2. I am a duly authorized custodian of the records described below, and I have the
6 authority to certify these records.

7 3. These records were prepared and maintained by me in my capacity as an employee of
8 the United States Environmental Protection Agency, Region 9, in the ordinary course of regularly
9 conducted business at or near the time of the acts, conditions, and events which they intend to
10 convey.

11 4. I prepared the records described below based on my review of data regularly submitted
12 to the EPA, Region 9, from "major" publicly owned treatment works. "Major" publicly owned
13 treatment works (POTWs) are those that maintain an average influent flow of greater than 1 million
14 gallons per day. The POTWs certify the accuracy of the information provided to my office. I
15 prepared the records for internal tracking purposes, and do not consider them to be "official" records
16 of the EPA. I provide the records upon request to other regulatory agencies, POTW groups,
17 consultants, and others for general information on biosolids use and disposal practices in Region 9.

18 5. The records are identified as follows:

- 19 • A two-page document entitled "CA Biosolids Use/Disposal, 2004"
- 20 • A one-page document entitled "Volume of sludge generated in California in 2005: 730,000 dry
21 metric tons"
- 22 • A one-page document entitled "California biosolids production and destination, 2006:"
- 23 • A one-page document entitled "California biosolids production and destination, 2007:"
- 24 • A two-page document entitled "California biosolids use and disposal trends, 2008"
- 25 • A two-page document entitled "California biosolids trends for 2009"
- 26 • A two-page document entitled "California Biosolids Trends In 2010"
- 27 • A two-page document entitled "California biosolids use and disposal trends, 2011"
- 28 • A three-page document entitled "California Biosolids Trends in 2012"
- A three-page document entitled "CA biosolids use and disposal in 2013"
- A two-page document entitled "California Biosolids Use and Disposal in 2014"
- A Microsoft Excel spreadsheet, the native file of which is named "use and disposal to
2005.xlsx"
- A Microsoft Excel spreadsheet, the native file of which is named "use and disposal 2006-
2009.xlsx"
- A Microsoft Excel spreadsheet, the native file of which is named "use and disposal 2010 to
2013.xlsx"

- A Microsoft Excel spreadsheet, the native file of which is named “use and disposal 2014 to 2015.xlsx”

5. I delivered true and correct electronic copies of the above-described records to Sean McCormick, attorney for the County of Kern and the Kern County Board of Supervisors.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I executed this declaration on this ____ day of April 2016, in _____, California.

[Signature]

Printed Name: _____

Address: _____

Telephone: _____